1   12.   (New)   A method according to claim 4, the method comprising

2   substituting an application component with an alternative component on one of the

3   broadcast data streams.

1   13.   (New)   Apparatus according to claim 9, the apparatus further comprising

2   means for substituting an application component with an alternative component on one of

3   the broadcast data streams.

REMARKS

Claims 1-13 remain in the application. Applicant respectfully requests re-examination.

Applicant notes the Notice of Draftsperson's Patent Drawing Review and requests that amendment to the drawings be held in abeyance until the allowance of claims in this application.

Claims 1, 3, 5-7 and 9 were rejected under 35 U.S.C. Section 102(e) as anticipated by Travaille, et al. (6,067,107). Applicant respectfully traverses.

Travaille discloses a data insertion unit (DIU) 116 that receives one or more interactive applications 115 and inserts these applications into each feed. As Travaille explains in Col. 5, Lines 34-37, the DIU 116 simultaneously inserts a separate interactive application into multiple channels from the same or different broadcasters. In all cases, however, Travaille teaches that his DIU 116 inserts a separate interactive application into each channel.

The present invention, on the other hand, as set forth in the claims, is directed to a system wherein a single interactive application is delivered to a plurality of broadcast networks, i.e., "providing a set of application components" and "converting the set of

3

application components into a plurality of streams of broadcast data, each stream of broadcast data conforming with a respective target platform." Delivering the same interactive application to a plurality of broadcast networks means that there must be synchronism between the different broadcast networks to avoid any difference in timing between delivery of the same interactive application over the different channels.

The Travaille system, on the other hand, is not concerned with synchronism since Travaille is dealing with delivering separate interactive applications over separate broadcast networks. There is no need for synchronism in such a scheme.

Applicant respectfully requests that this rejection of Claims 1, 3, 5-7, and 9 be withdrawn.

Claims 2 and 4 were rejected under 35 U.S.C. Section 103(a) as unpatentable over Travaille as applied to Claim 1 and in view of Lappington, et al. (5,734,413). Applicant respectfully traverses.

Even assuming the combination of Travaille and Lappington is proper as asserted in the Office Action, Lappington does not fill the void of Travaille. The combination of Travaille and Lappington does not teach, for example, that the same interactive application is to be delivered to a plurality of broadcast networks, or the solving of the synchronization problem that results. Applicant respectfully requests that this rejection be withdrawn.

Claim 8 was rejected under 35 U.S.C. Section 103(a) as unpatentable over Travaille as applied to Claim 1 in view of Crutcher (6,310,941). Applicant respectfully traverses.

Even assuming the combination of Travaille and Crutcher is proper as asserted in the Office Action, Crutcher does not fill the void of Travaille. Crutcher and Travaille together do not teach delivering an interactive application to a plurality of broadcast networks. To the contrary, Travaille teaches the exact opposite, delivering separate interactive applications into each channel. Moreover, the Office Action asserts that it is taking "official notice" that interrogating the application to determine data capability is "well known in the art." Applicant respectfully submits that if it is well known, it would not be too inconvenient for the Examiner to point to a reference for such a teaching.

Applicant respectfully requests that this rejection of Claim 8 be withdrawn.

The news Claim 10, 11, 12, and 13 are also patentable over the art of record since they depend either directly or indirectly from Claim 1. Furthermore, Claim 12, for example, defines a step of substituting an application component with an alternative component in one of the broadcast data streams. This is an important distinction of the current invention over the prior art. This step allows the invention to select individual application components for substitution, making the system flexible enough to cater to different broadcast networks running the same software, but with different capabilities. This step is not taught or even suggested in Travaille or any of the art of record.

Applicant has reviewed the prior art made of record, but not relied upon. Applicant respectfully submits that this prior art, taken either separately or in any combination with any of the art of record, would not render the claimed invention unpatentable.

In light of the above amendment and remarks, Applicant respectfully submits that this application is in condition for allowance and respectfully requests that it be passed to issue.

I hereby certify that this correspondence is being sent First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on October 23, 2002.
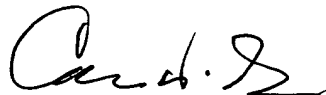
By: Marc Fregoso

_____
Signature

Date: October 23, 2002

Respectfully submitted,

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IN THE CLAIMS

The claims have been amended as follows.

1   1.   (Amended)   A method of delivering an interactive application to a

2. plurality of target platforms constituted by different broadcast networks, the method

3   comprising

4   providing a set of application components;

5   converting the set of application components into a plurality of streams of

6   broadcast data, each stream of broadcast data conforming with a respective target

7   platform; and

8   delivering each stream of broadcast data to its respective target platform.

1   7.   (Amended) A method according to claim 1, wherein each target platform

2   comprises [a broadcast network and] an application processor[, and wherein the

3   delivering step comprises broadcasting the stream of broadcast data to the application

4   processor via the broadcast network].

1   9.   (Amended)   Apparatus for delivering an interactive application to a

2   plurality of target platforms constituted by respective different broadcast networks, the

3   apparatus comprising

4   a system for providing a set of application components;

5   a plurality of broadcast systems interfaces each converting the set of

6   application components into a respective stream of broadcast data, conforming with a

7   respective target platform; and

8   a system for delivering each stream of broadcast data to its respective

9 target platform.

    Please add the following new claims.

1   10. (New) A method according to claim 1, wherein the broadcast networks

2 have different data protocols, formats or speeds.

1   11. (New) A method according to claim 1, wherein the application

2 components comprise one or more of executable program files, bit maps, sound samples,

3 real-time data instructions, and video chips.

1   12. (New) A method according to claim 4, the method comprising

2 substituting an application component with an alternative component on one of the

3 broadcast data streams.

1   13. (New) Apparatus according to claim 9, the apparatus further comprising

2 means for substituting an application component with an alternative component on one of

3 the broadcast data streams.